

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

In re:	§	
	§	
BORQUE, WILBERT JAMES	§	Case No. 14-10097 BP1
BORQUE, MIRIAM KIELLER	§	
	§	
	§	
Debtors	§	

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**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter 7 of the United States Bankruptcy Code was filed on 02/24/2014 . The undersigned trustee was appointed on 02/24/2014 .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$ 35,000.00

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	22,963.73
Bank service fees	52.07
Other payments to creditors	0.00
Non-estate funds paid to 3 <sup>rd</sup> Parties	0.00
Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00
Leaving a balance on hand of <sup>1</sup>	\$ 11,984.20

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 09/11/2014 and the deadline for filing governmental claims was 12/10/2014 . All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ 4,250.00 . To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ 0.00 as interim compensation and now requests a sum of \$ 4,250.00 , for a total compensation of \$ 4,250.00 <sup>2</sup>. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ 0.00 , and now requests reimbursement for expenses of \$ 264.47 , for total expenses of \$ 264.47 <sup>2</sup>.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 06/01/2016 By: /s/Stephen J. Zayler  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

**FORM 1- EXHIBIT A**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1  
**Exhibit A**

Case No: 14-10097 BP1 Judge: BILL PARKER  
Case Name: BORQUE, WILBERT JAMES  
BORQUE, MIRIAM KIELLER  
For Period Ending: 06/01/16

Trustee Name: Stephen J. Zayler  
Date Filed (f) or Converted (c): 02/24/14 (f)  
341(a) Meeting Date: 03/21/14  
Claims Bar Date: 09/11/14

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. HOMESTEAD 10265 Phelan Blvd, Beaumont, TX 77713	49,160.00	0.00		0.00	FA
2. CASH ON HAND	37.00	37.00		0.00	FA
3. CHECKING AND/OR SAVINGS ACCOUNT Five Point Federal Credit Union	124.03	124.03		0.00	FA
4. HOUSEHOLD GOODS	1,771.00	0.00		0.00	FA
5. BOOKS & PICTURES	30.00	0.00		0.00	FA
6. WEARING APPAREL	500.00	0.00		0.00	FA
7. FURS & JEWELRY	350.00	0.00		0.00	FA
8. SPORT EQUIPMENT	50.00	0.00		0.00	FA
9. INTEREST IN INSURANCE POLICIES 2 AARP Life (Whole Life) Policies Face Value \$12,000.00 Cash Value (Debtor) \$1,221.60; Joint Debtor \$2,030.04 Colonial Penn Term Life - No cash value Monumental Life (Term - Acc. Death) - No cash value	3,251.64	0.00		0.00	FA
10. LAWSUIT Medical Malpractice This asset has been given a value for reporting purposes only. It may or may not be accurate.	0.00	25,000.00		35,000.00	FA
11. AUTOMOBILE 2004 Ford F-150	9,875.00	0.00		0.00	FA
12. AUTOMOBILE 1997 Geo Prism	1,487.00	0.00		0.00	FA
13. TRAVEL TRAILER 2000 Salem	1,500.00	1,500.00		0.00	FA
14. OTHER PERSONAL PROPERTY	70.00	70.00		0.00	FA

**FORM 1- EXHIBIT A**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 2  
**Exhibit A**

Case No: 14-10097 BP1 Judge: BILL PARKER  
Case Name: BORQUE, WILBERT JAMES  
BORQUE, MIRIAM KIELLER

Trustee Name: Stephen J. Zayler  
Date Filed (f) or Converted (c): 02/24/14 (f)  
341(a) Meeting Date: 03/21/14  
Claims Bar Date: 09/11/14

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Fax Machine \$20; Computer \$50					

TOTALS (Excluding Unknown Values)	\$68,205.67	\$26,731.03	\$35,000.00	Gross Value of Remaining Assets \$0.00 (Total Dollar Amount in Column 6)
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Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 12/31/16      Current Projected Date of Final Report (TFR): 12/31/16

/s/ Stephen J. Zayler

Date: 06/01/16

STEPHEN J. ZAYLER

**FORM 2 - EXHIBIT B**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 1  
**Exhibit B**

Case No: 14-10097 -BP1  
Case Name: BORQUE, WILBERT JAMES  
BORQUE, MIRIAM KIELLER  
Taxpayer ID No: \*\*\*\*\*2365  
For Period Ending: 06/01/16

Trustee Name: Stephen J. Zayler  
Bank Name: FIRST NATIONAL BANK OF VINITA  
Account Number / CD #: \*\*\*\*\*2100 Checking - Non Interest

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
02/22/16	10	BAPTIST HOSPITALS OF SOUTHEAST TEXAS P. O. BOX 1591	BALANCE FORWARD SETTLEMENT PROCEEDS	1142-000	35,000.00		0.00 35,000.00
03/07/16	010001	CRAIG LEWIS THE LEWIS LAW FIRM 2905 Sackett Street Houston, TX 77098	ATTORNEY FEES & EXPENSES Per Order 11/16/2015			20,120.34	14,879.66
			Fees 14,000.00	3210-000			
			Expenses 6,120.34	3220-000			
03/07/16		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	14,869.66
04/07/16		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		26.81	14,842.85
05/06/16		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		15.26	14,827.59
05/23/16	010002	STEPHEN J. ZAYLER ATTORNEY AT LAW P. O. BOX 150743 Lufkin, TX 75915	ATTORNEY FEES & EXPENSES Per Order Dated 05/20/16			2,843.39	11,984.20
			Fees 2,667.50	3110-000			
			Expenses 175.89	3120-000			

COLUMN TOTALS	35,000.00	23,015.80	11,984.20
Less: Bank Transfers/CD's	0.00	0.00	
Subtotal	35,000.00	23,015.80	
Less: Payments to Debtors		0.00	
Net	35,000.00	23,015.80	
TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Checking - Non Interest - *****2100	35,000.00	23,015.80	11,984.20
	35,000.00	23,015.80	11,984.20

Page Subtotals 35,000.00 23,015.80

**FORM 2 - EXHIBIT B**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 2  
**Exhibit B**

Case No: 14-10097 -BP1  
Case Name: BORQUE, WILBERT JAMES  
BORQUE, MIRIAM KIELLER  
Taxpayer ID No: \*\*\*\*\*2365  
For Period Ending: 06/01/16

Trustee Name: Stephen J. Zayler  
Bank Name: FIRST NATIONAL BANK OF VINITA  
Account Number / CD #: \*\*\*\*\*2100 Checking - Non Interest

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$) (Excludes Account Transfers)	Disbursements (\$) (Excludes Payments To Debtors)	Account / CD Balance (\$) Total Funds On Hand

Page Subtotals 0.00 0.00

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Date: June 01, 2016

Case Number: 14-10097 Claim Class Sequence  
Debtor Name: BORQUE, WILBERT JAMES

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
025 SAF	CRAIG LEWIS THE LEWIS LAW FIRM 2905 Sackett Street Houston, TX 77098	Administrative		\$20,120.34	\$20,120.34	\$0.00
025 TAF	STEPHEN J. ZAYLER ATTORNEY AT LAW P. O. BOX 150743 Lufkin, TX 75915	Administrative		\$2,843.39	\$2,843.39	\$0.00
000001 070 UC	American InfoSource LP as agent for TD Bank, USA PO Box 248866 Oklahoma City, OK 73124-8866	Unsecured		\$1,956.73	\$0.00	\$1,956.73
000002 070 UC	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured		\$3,360.84	\$0.00	\$3,360.84
000003 070 UC	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured		\$2,996.31	\$0.00	\$2,996.31
000004 070 UC	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured		\$1,324.27	\$0.00	\$1,324.27
000005 070 UC	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured		\$946.68	\$0.00	\$946.68
000006 070 UC	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured		\$3,402.93	\$0.00	\$3,402.93
000007 070 UC	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured		\$515.34	\$0.00	\$515.34
000008 070 UC	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured		\$447.19	\$0.00	\$447.19
000009 070 UC	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	Unsecured		\$1,933.67	\$0.00	\$1,933.67
000010 070 UC	PYOD, LLC its successors and assigns as assignee of FNBM, LLC Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured		\$1,515.94	\$0.00	\$1,515.94

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Date: June 01, 2016

Case Number: 14-10097 Claim Class Sequence  
Debtor Name: BORQUE, WILBERT JAMES

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
000011 070 UC	Capital One, N.A. c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701	Unsecured		\$701.06	\$0.00	\$701.06
000012 070 UC	Capital Recovery V, LLC c/o Recovery Management Systems Corporat 25 SE 2nd Avenue Suite 1120 Miami FL 33131-1605	Unsecured		\$1,007.01	\$0.00	\$1,007.01
000013 070 UC	Capital Recovery V, LLC c/o Recovery Management Systems Corporat 25 SE 2nd Avenue Suite 1120 Miami FL 33131-1605	Unsecured		\$4,482.71	\$0.00	\$4,482.71
000014 070 UC	PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured		\$16,361.77	\$0.00	\$16,361.77
000015 070 UC	PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services PO Box 19008 Greenville, SC 29602	Unsecured		\$714.14	\$0.00	\$714.14
000016 070 UC	Synchrony Bank c/o Recovery Management Systems Corp 25 SE 2nd Ave Suite 1120 Miami FL 33131-1605	Unsecured		\$2,892.66	\$0.00	\$2,892.66
000017 070 UC	Synchrony Bank c/o Recovery Management Systems Corp 25 SE 2nd Ave Suite 1120 Miami FL 33131-1605	Unsecured		\$3,776.08	\$0.00	\$3,776.08
Case Totals:				\$71,299.06	\$22,963.73	\$48,335.33

Code #: Trustee's Claim Number, Priority Code, Claim Type



## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 14-10097 BP1

Case Name: BORQUE, WILBERT JAMES

BORQUE, MIRIAM KIELLER

Trustee Name: Stephen J. Zayler

Balance on hand \$ 11,984.20

Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: Stephen J. Zayler	\$ 4,250.00	\$ 0.00	\$ 4,250.00
Trustee Expenses: Stephen J. Zayler	\$ 264.47	\$ 0.00	\$ 264.47
Attorney for Trustee Fees: STEPHEN J. ZAYLER	\$ 2,667.50	\$ 2,667.50	\$ 0.00
Attorney for Trustee Expenses: STEPHEN J. ZAYLER	\$ 175.89	\$ 175.89	\$ 0.00
Other: CRAIG LEWIS	\$ 14,000.00	\$ 14,000.00	\$ 0.00
Other: CRAIG LEWIS	\$ 6,120.34	\$ 6,120.34	\$ 0.00

Total to be paid for chapter 7 administrative expenses \$ 4,514.47

Remaining Balance \$ 7,469.73

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ 0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 48,335.33 have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 15.5 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000001	American InfoSource LP as agent for TD Bank, USA PO Box 248866 Oklahoma City, OK 73124-8866	\$ 1,956.73	\$ 0.00	\$ 302.39
000002	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	\$ 3,360.84	\$ 0.00	\$ 519.38
000003	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	\$ 2,996.31	\$ 0.00	\$ 463.05
000004	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	\$ 1,324.27	\$ 0.00	\$ 204.65

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000005	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	\$ 946.68	\$ 0.00	\$ 146.30
000006	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	\$ 3,402.93	\$ 0.00	\$ 525.89
000007	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	\$ 515.34	\$ 0.00	\$ 79.64
000008	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	\$ 447.19	\$ 0.00	\$ 69.11
000009	Capital One Bank (USA), N.A. PO Box 71083 Charlotte, NC 28272-1083	\$ 1,933.67	\$ 0.00	\$ 298.83
000010	PYOD, LLC its successors and assigns as assignee of FNBM, LLC Resurgent Capital Services PO Box 19008 Greenville, SC 29602	\$ 1,515.94	\$ 0.00	\$ 234.27
000011	Capital One, N.A. c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701	\$ 701.06	\$ 0.00	\$ 108.34
000012	Capital Recovery V, LLC c/o Recovery Management Systems Corporat 25 SE 2nd Avenue Suite 1120 Miami FL 33131-1605	\$ 1,007.01	\$ 0.00	\$ 155.63

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000013	Capital Recovery V, LLC c/o Recovery Management Systems Corporat 25 SE 2nd Avenue Suite 1120 Miami FL 33131-1605	\$ 4,482.71	\$ 0.00	\$ 692.76
000014	PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services PO Box 19008 Greenville, SC 29602	\$ 16,361.77	\$ 0.00	\$ 2,528.54
000015	PYOD, LLC its successors and assigns as assignee of Citibank, N.A. Resurgent Capital Services PO Box 19008 Greenville, SC 29602	\$ 714.14	\$ 0.00	\$ 110.36
000016	Synchrony Bank c/o Recovery Management Systems Corp 25 SE 2nd Ave Suite 1120 Miami FL 33131-1605	\$ 2,892.66	\$ 0.00	\$ 447.03
000017	Synchrony Bank c/o Recovery Management Systems Corp 25 SE 2nd Ave Suite 1120 Miami FL 33131-1605	\$ 3,776.08	\$ 0.00	\$ 583.56

Total to be paid to timely general unsecured creditors \$ 7,469.73

Remaining Balance \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE